

House Study Bill 571 - Introduced

SENATE/HOUSE FILE _____

BY (PROPOSED DEPARTMENT OF
HOMELAND SECURITY AND
EMERGENCY MANAGEMENT BILL)

A BILL FOR

1 An Act concerning state agency response to a proclamation of
2 disaster emergency.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 29C.20D Disaster response immunity.

2 The state and any of its officers, employees, or agents shall
3 not be liable on account of any act or omission in good faith
4 while engaged in a response to a declared disaster emergency as
5 proclaimed by the governor pursuant to section 29C.6 or a major
6 disaster as declared by the president of the United States
7 or on account of the maintenance or use of any equipment or
8 supplies in connection therewith. Good faith shall not include
9 willful misconduct, gross negligence, or recklessness.

10	EXPLANATION
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11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill concerns actions by the state, and its officers,
14 employees, or agents, in response to a disaster emergency
15 proclamation.

16 New Code section 29C.20D provides that the state and any
17 of its officers, employees, or agents shall not be liable on
18 account of any act or omission in good faith while engaged in a
19 response to a declared disaster emergency by the governor or a
20 major disaster as declared by the president.